

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

v.

SAMUEL ISRAEL III
DANIEL E. MARINO,

Defendants

No. 7:05-cv-8376-CM

NOTICE OF MOTION TO DISMISS MONETARY CLAIMS

Plaintiff United States Securities and Exchange Commission (“Commission”) hereby moves the Court to dismiss its claims for disgorgement, prejudgment interest, and civil penalties against Defendants Samuel Israel and Daniel Marino, in light of criminal sanctions entered against them in the parallel criminal proceedings, *United States v. Samuel Israel*, 05 CR 1039 (CM) and *United States v. Daniel E. Marino*, 05 CR 1036 (CM).

The Commission further moves that all of the prior injunctive relief prohibiting violations of the Securities Laws ordered by the Court in the April 19, 2006 Judgments against Daniel E. Marino (Dkt. No. 10) and Samuel Israel III (Dkt. No. 12) remains in full force and effect, that the Court deems these Judgments to be Final under Federal Rule of Civil Procedure 54(b), and that the Court administratively close this action as complete.

Dated: December 19, 2016

/s Paul W. Kisslinger
Paul W. Kisslinger PK0764
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